IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 23713 of 2004

Between:

K. Nagi Reddy, S/o. Sanjeeva Reddy,
Aged about 45 years,

Rampalli Village, Tuggali Mandal,

Kurnool District.

..... PETITIONER

AND

1. The Executive Engineer, Social Welfare,

K.D.S.C.S.C.S. Limited,
Kurnool District.
2. The Deputy Director, Social Welfare, Kurnool,
Kurnool District.
3. The Mandal Revenue Officer, Tuggali Mandal,

Tuggali, Kurnool District.
4. The District Collector, Kurnool District, Kurnool.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not handing over the land an extent of 0.38 cents in survey no. 65/B and 66/C of Tuggali Village, Tuggali Mandal,

Kurnool District to the petitioner for the construction of the Government Social Welfare Hostel for Boys for execution of the contract is illegal, arbitrary, unconstitutional and consequently direct the respondents to hand over the land an extent of 0.38 cents in survey No. 65/B and 66/C of Tuggali Village, Tuggali Mandal, Kurnool District.

Counsel for the Petitioner: MR.K.V.SUBBA REDDY

Counsel for the Respondents 1 to 4: GP FOR SOCIAL WELFARE

The Court, at the stage of admission, made the following:

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ORDER:

This writ petition is filed seeking mandamus declaring the action of the respondents in not handing over the land in an extent of 0-38 cents in Sy. No. 65/B and 66/C of Tuggali Village, Tuggali Mandal, Kurnool District to the petitioner for construction of the Government Social Welfare Hostel for Boys, in execution of the contract, as illegal and arbitrary.

It is stated in the affidavit filed in support of the writ petition that the first respondent issued a tender notification inviting tenders for construction of Government Social Welfare Boys Hostel at the cost of Rs.12.50 lakhs at Tuggali Mandal, Kurnool District. In response to the said notification, the petitioner submitted a tender and was declared as the successful bidder. The first respondent after obtaining the administrative approval for the work from the Superintending Engineer, Kadapa, issued a memo dated 20-10-2003 to the petitioner, directing him to produce original requisite documents for verification of the genuineness. Thereafter, the first respondent entered into agreement on 01-11-2003 for execution of the work. By the proceedings of the Revenue Divisional Officer, Adoni dated 07-08-2004, the third respondent handed over the land in question to the second respondent. In spite of the petitioner giving representation to the first respondent, the respondents have not taken steps to hand over the land in question to him.

Therefore, without entering into the merits of this case, I consider it

appropriate to direct the first and fourth respondents to take necessary steps for handing over the land in question to the petitioner so as to commence the construction of the Government Social Welfare Boys Hostel at Tuggali village, Tuggali Mandal, Kurnool district.

The writ petition is disposed of subject to the above direction. There shall be no order as to costs.

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10-03-2005.

Lrkm.

To

1. The Executive Engineer, Social Welfare,

K.D.S.C.S.C.S. Limited,
Kurnool District.
2. The Deputy Director, Social Welfare, Kurnool,
Kurnool District.
3. The Mandal Revenue Officer, Tuggali Mandal,

Tuggali, Kurnool District.
4. The District Collector, Kurnool District, Kurnool.

5. 2 CCs to the Government Pleader for Social Welfare, High

Court Builidngs, High Court of A.P., Hyderabad (O.U.T).

6. 2 CD copies

7. 1 CC to MR.SUBBA REDDY.

*Form-NIC-OGS/WP{**JGK**}*